PETITION FOR	SPECIAL EXCEPTION 84-194-X	
TO THE ZONING COMMISSIONER OF BAL		Colombia State of Colombia
The undersigned, legal owner(s) of the	property situate in Bastimore County and which is dhereto and made a part hereof, hereby petition for a d Zoning Regulations of Baltimore County, to use the	
herein described property forproducti	on and sale (retail & wholesale)	
of wine in an RC-2 Zone		
Property is to be posted and advertised a	as prescribed by Zoning Regulations	
I, or we, agree to pay expenses of above S	Special Exception advertising, posting, etc., upon filing	
of Baltimore County adopted pursuant to the	Zoning Law for Baitimore County.	
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property	A PARTY OF THE PAR
Contract Purchaser:	which is the subject of this Petition.  Legal Owner(s):	e de la companya de l
(Type or Print Name)	Herbert A. Davis	enter seggi delen inter en
	(Type or Print Name)  Luckur a Savi or V	والمراجعة والمتحددة والمتح
Signature	Signature D:1 /2 //	ومساد والعرار يواده
Address	(Type or Print Name)	Section Control
City and State	Signature	
Actorney for Petitioner:	Wheeler Lane 296-5770	November 1
3 (Spe or Print Name)	Address Phone No.	AND A SECOND
2 Signature	Sparks, Maryland 21152 City and State	
1 511	Name, address and phone number of legal namer con-	) With Colonian to the Colonia
Address	tract purchaser or representative to be contacted Herbert A. Davis	The state of the s
Scity and State	Wheeler Lane	والمستقيمة فقد المقاربية
Attorney's Telephone No.:	Sparks, Maryland 21152 296-5770 Address . Phone No.	
ORDERED By The Zoning Commissioner	•	#10
	the subject matter of this petition be advertised, as	(-)
out Baltimore County, that property be ested, Commissioner of Baltimore County in Room 1	and that the public hearing be had before the Zoning  106, County Office Building in Towson, Baltimore	
out Baltimore County, that property be ensted, Commissioner of Baltimore County in Room 1	and that the public hearing be had before the Zoning 106, County Office Building in Towson, Baltimore  February 19.84, at 10:30 o'clock	· · · · · · · · · · · · · · · · · · ·
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out Baltimore County, that property be osted, Commissioner of Baltimore County in Room 1  County, on the	and that the public hearing be had before the Zoning 106, County Office Building in Towson, Baltimore  February, 19.84_, at 10:30 o'clock  Zoning Commissioner of Baltimore County.  (over)  Corhold, Cross & Ettel 412 Delaware Avenue Towson, Hd. 21204  OFFICE OF PLANNING & ZONING  y Office Building of Chesapeake Avenue on, Maryland 21204  received and accepted for filing this cer, 19.83.	
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Out Baltimore County, that property be osted, Commissioner of Baltimore County in Room 1  County, on the	Gorhold, Cross & Etsel  Gorhold, Cross & Etsel  412 Delaware Avenue  Towson, Hd. 21204  OFFICE OF PLANNING & ZONING  Waryland 21204  received and accepted for filing this cer, 1983.  Received by Juddan Blanmodan  Received by Juddan Blanmodan  Received by Juddan Blanmodan  Received by Juddan Blanmodan	
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RE: PETITION FOR SPECIAL EXCEPTION: E/S Wheeler Lane, 3,800' S of Belfast Road. OF BALTIMORE COUNTY 8th District HERBERT A. DAVIS. Fetitioner

> ::::::: ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter 1 of the passage of any preliminary or final Order.

> Phyllie Cole Friedman Phyllis Cole Friedman People's Counsel for Baltimore County Leter Max Timmerum

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, MD 21204 494-2188

I HEREBY CERTIFY that on this 23rd day of January, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. Herbert A. Davis, Wheeler Lame, Sparks, MD 21152, Petitioner.

> Thyllis Cole Friedman Phyllis Cole Friedman

PETITION FOR SPECIAL EXCEPTION

8th Election District

ZONING: Petition for Special Exception LOCATION:

East side Wheeler Lane, 3,800 ft. South of Belfast Road

DATE & TIME: Tuesday, February 7, 1984 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

Petition for Special Exception for production and sale (retail and wholesale) of wine in an R.C. 2 zone

and Regulations of Baltimore County, will hold a public hearing:

Being the property of Herbert A. Davis, as shown on plat plan filed with the Zoning

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

CARL L GERHOLD PHILIP K. CROSS JOHN F. ETZEL WILLIAM B. ULPICH

CORDON T. LANGDON

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204 823-4470

EMERITUS PAUL S. SOLLENSER( PRES II. DOLLENSER(

November 9, 1983

Zoning Description

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Mary-land and described as follows to wit:

Beginning for the same at a point in the center of Wheeler Lane at the distance of 3800 feet measured southerly along the center of Wheeler Lane from the center of Belfast Road and running thence and binding in the center of Wheeler Lane, South 21 degrees 16 minutes East 20.48 feet, thence leaving Wheeler Lane and running the ten following lines viz: North 81 degrees 04 minutes 13 seconds East 907.81 feet, Northeasterly by a line curving toward the left having a radius of 150 feet for an arc distance of 212.39 feet (the chord of said arc bearing North 40 degrees 30 minutes 26 seconds East 195.08 feet), North 70 degrees 05 minutes 57 seconds West 226 feet, South 70 degrees 54 minutes 03 seconds West 226 feet, South 70 degrees 54 minutes 03 seconds East 168 feet, North 70 degrees 55 minutes 57 seconds East 15 feet, South 19 degrees 54 minutes 03 seconds East 57.36 feet, Southwesterly by a line curving toward the right having a radius of 130 feet for an arc distance of 177.45 feet (the chord of said arc bearing South 41 degrees 57 minutes 45 seconds West 164.00 feet) and South 61 degrees 04 minutes 13 seconds West 912.19 feet to the place of beginning.

Containing 1.53 Acres of land more or less.



OFFICE COPY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 19, 1984

Chairman

MEMBERS

Traffic Engineering

State Roads Commissi

Fire Prevention

Health Department

Project Planning Building Department

Board of Education

Zoning Administration

Bureau of

Nicholas B. Commodari

Mr. Herbert A. Davis Wheeler Lane Sparks, Maryland 21152

Item No. 128 - Case No. 84-124-X Petitioner - Herbert A. Davis Special Exception Petition

Bureau of Engineering Dear Mr. Davis: Department of

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you.

Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, Kechalas & Commadare boc

NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC:bsc Enclosures

cc: Gerhold, Cross & Etzel 412 Delaware Avenue Towson, Md. 21204

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

January 13, 1984

Mr. Armold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Ro: Itam #128 (1983-1984) Property Owner: Herbert A. Davis E/S Wheeler Lane, 3800' S. from centerline

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Wheeler Lane, an existing public road, is proposed to be further improved in the future on a minimum 60-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #128 (1983-1984) Property Owner: Herbert A. Davis January 13, 1984

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is beyond the Baltimore County Metropolitan District and the Comprehensive Metropolitan Facilities Planning Area. Baltimore County Water Supply and Sewerage Plans W and S-10B, as amended through January 1982, indicate "No Planned Service" in the area.

RAM: EAM: FWR:ss

DD-SW Key Sheet 88 & 89 NW 12-14 Pos. Sheets NW 22 & 23 C & D Topo 33 & 34 Tax Map

Acres: 1.53 District: 8th

Development of this property through stripping, grading and stabilization

and, therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this /5 day of February, 1984, that the herein Petition for Special Exception for the production and sale (retail & wholesale) of wine in an R.C.2 Zone, in accordance with the site plan prepared by Gerhold, Cross & Etzel, dated November 9, 1983, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions: 1. The wine making, storage, retail sales, and wholesale distribution shall be contained within the 1.53 acres as specified on the aforementioned site plan. 2. The 1.53 acre tract shall continue to be a part of an operating farm. 3. Retail sales shall be limited to bottles of wine producted on the premises for consumption off the premises, and the hours of operation shall be between 8:00 a.m. and 5:00 p.m., Monday through Friday, and 10:00 a.m. CEIVED and 6:00 p.m., Saturday and Sunday. No more than 4 tour groups shall be permitted to visit the sales area each month at hours other than those listed above and shall be by appointment only. 4. Compliance with the Health Department requirements. 5. App. val of the aforementioned site plan by the Office of BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586 PAUL H. REINCKE February 14, 1984 Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204 Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property Owner: Herbert A. Davis Location: E/S Wheeler Lane 3800' S. from c/l Belfast Road Item No.: 128 Zoning Agenda: Meeting of 12/6/83 Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property. ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works. ( ) 2. A second means of vehicle access is required for the site. ( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
Roadway shall support 50,000 lb. fire apparatus. ( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. ( ) 6. Site plans are approved, as drawn. () 7. The Fire Prevention Bureau has no comments at this time. REVIEWER: Planning Group F Fire Prevention Bureau Special Inspection Division

Pursuant to the advertisement, posting ? property, and public hearing on

2. The subject 1.53 acres, more or less, is an internal part of a 93 acre farm which includes 62 acres in vineyards.

3. The requirements of Sections 502.1, 1A01.1.B, and 1A01.2.C of the Baltimore County Zoning Regulations (BCZR) have been

4. The granting of the special exception will not be detrimental to and will be supportive of the primary agricultural uses in

6. The granting of the special exception will not adversely affect

the health, safety, and general welfare of the community.

5. The winery will not be situated on land more appropriately

the petition and it appearing that by reason of the following finding of facts:

1. The subject property is zoned k.C.2.

the vicinity of the subject property.

used for primary agricultural uses.

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval. ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere. ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more. ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval. ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services. ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements. SS 20 1082 (1) BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610 TED ZALESKI, JR. Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204 Comments on Item # 128 Zoning Advisory Committee Meeting are as follows: Property Owner: Herbert A. Davis Location: E/S Wheeler Lane 3800' S. from c/l Belfast Road Proposed Zoning: Special Exception for production and sale (retail & wholesale) of wine in an R.C. 2 zone. Acres: 1.53 District: 8th. The items checked below are applicable: X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applimiscellaneous

X B. A building/ & other permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data. X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application. E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2. F. Requested variance appears to conflict with the Baltimore County Building Code, X G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401. X I. Comments - A Registered in Maryland Structural Engineer may be required to certify that the floors will support the loads imposed by the NOTE: These comments reflect only or the information provided by the drawings sub-

mitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information

may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.

Charles E. Burnham, Chief

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Item # 128, Zoning Advisor Committee Meeting of Dec. 6,1983

Sewage Disposal \_\_private\_\_\_\_

Zoning Commissioner

County Office Building

Towson, Maryland 21204

COMMENTS ARE AS FOLLOWS:

Office of Planning and Zoning

Property Owner: Herbert A. Pavis

Location: E/S Wheeler Lave

Water Supply \_\_\_\_\_ Private

Date 19, 1934

( ) Any existing underground storage tanks containing gasoline, waste oil. solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. (V) Soil percolation tests have been conducted. The results are valid until Avgust 1986.

Revised plans must be submitted prior to approval of the percolation (V) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
 ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications. ( ) All roads and parking areas should be surfaced with a dustless, bonding ( ) No health hazards are anticipated. (1) Others Existing sewage disposal systems serving the Two residences on site appear to be functioning properly Existing drilled well Already scrues the entire Socility and is in satisfactory condition. Three compartment sink in wivery must be connected to proposed sewage disposal system. Backflow preventers must be used. Applicant should contact the Northwestern Regional Services to Avrange for AN inspection of this facility And sampling of the water supply, as noted above.

Existing fuel tank should be lak tested authorized IF NECESSARY. OWNER has been apprised of above inscenation. Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES SS 20 1080 (2) BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 STEPHEN E. COLLINS DIRECTOR January 16, 1984 Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204 Item No. 125, 126, (128,) 129, and 130. -ZAC- Meeting of December 6, 1983 Property Owner: Location: Existing Zoning: Proposed Zoning: Acres: District: Dear Mr. Jablon: The Department of Traffic Engineering has no comments for item numbers 125, 126, 128, 129, and 130. Traffic Engineering Assoc. II MSF/ccm

Arnold Jablon TO\_\_\_ Zoning Commissioner January 19, 1984

Norman E. Gerber, Director FROM Office of Planning and Zoning

Herbert A. Davis SUBJECT\_\_\_84-194-X

This office is not opposed to the granting of the subject request.

Norman E. Gerber, Director Office of Planning and Zoning

NEG/JGH/sf

Mr. Herbert A. Davis Wheeler Lane Sparks, Maryland 21152

> NOTICE OF HEARING Re: Petition for Special Exception E/S Wheeler Lane, 3,800' S of Belfast Rd. Herbert A. Davis - Petitioner Case No. 84-194-X

January 🚵 1984

TIME: 10:30 A.M. DATE: Tuesday, February 7, 1984 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

No. 122943

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

8 048----100001b #235A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 494-3053  ARNOLD JADION ZONING COMMISSIONER  February 1, 1984  Mr. Herbert A. Davis Wheeler Lane Sparks, Maryland 21152  Re: Petition for Special Exception E/S Wheeler Lane, 3, 800° S of Belfast Road Herbert A. Davis, Petitioner Case No. 84-194-X  Dear Mr. Davis:  This is to advise you that \$41.72 is due for advertising and posting of the above property.			ZONING PLAT PROPERTY OF HERBERT A. DAVIS & WIFE 8th District - Boltimore CoMd.	Ex. Chicken these  Ex. Chicken t
This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.  Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.  Sincerely,  ALTIMORE COUNTY, MARYLAND FFICE OF FINANCE - REVENUE DIVISION ISCELLANEOUS CASH RECEIPT  ANE 2/7/84  ACCOUNT R-01-615-000  AMOUNT \$41,72  CRIVED Herbert A. Davis  Advertising & Poeting Case \$84-1,1-X  CALL  COUNTY STATE ACCOUNT R-01-615-000	Scole	/"=500'	Ex. Road Cellor  Ex. Dwelliny  snow of Friom  Charles  Ch	NTO: OS: STE 164.79  NTO: OS: STE 164.79  NAN Joseph Mouse  Share  MAN Joseph Mouse
CERTIFICATE OF POSTING  ZONING DEPARTMENT OF BALTIMORE COUNTY  Towson, Maryland  Date of Posting Lower Sty  Posted for: Special Exception  Petitioner: Howard Davis  Location of property: Els ap Moulus Love, 3 800'S of  Sulfast Direct  Location of Signs: Cast aide of Market Lane at entrance to	Extended in the second of the	isting Zoning RC.2  isting Usc Form  ea in whole tract 93 Acrest  in Special Exception 1.53 Acres t	any Patition for Special Excaption and Retail & Wholesale of wine	LION HARM Scale 1': 50' Now
CERTIFICATE OF PUBLICATION  PETITION FOR SPECIAL  EXCEPTION  Stat Election District  TOWSON, MD.,	CERTIFICATE OF PUBLICATION  PETITION FOR SPECIAL EXCEPTION  But Exercise District Control of the State of the	ployees - 1	50 % 28 28 24 22 20 % % 12 29 20 20 30 50  ANYWES DEED OF 12 12 20 20 30 50  OR 8	GERHOLD, CROS Professiono/Lam 412 Delaware Tawson, Md.
County Office Building. 11 Workshop and Published in Towson, Baltimore County, Md., and published in Towson, Baltimore County,	THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspan in the property of system of the production in general and the property of system of the production in the property of system of the production in general and the property of system of the production in general and the production in general and the production in the production of the production in the production of the pr			